

**BOARD OF SELECTMEN MEETING
MONDAY, JULY 13, 2015
6:00PM AT TOWN OFFICE BUILDING
240 SPRINGFIELD STREET, WILBRAHAM, MA
MINUTES**

PRESENT: Chairman Robert J. Boilard (presiding); Selectmen Susan C. Bunnell and Robert W. Russell; Town Administrator Nick Breault and Candace Ouillette Gaumond, Administrative Assistant to the TA/BOS.

EXECUTIVE SESSION

To Conduct Strategy Sessions in Preparation for Contract Negotiations with Non-Union Personnel; To Discuss Strategy with Respect to Collective Bargaining; To Consider the Purchase, Exchange, Lease, or Value Of Real Property (Joint Executive Session Meeting With The Conservation Commission), and To Discuss Strategy with Respect to Collective Bargaining (Joint Executive Session Meeting With The Conservation Commission)

Chairman Boilard opened the meeting and then asked for a motion to go into executive session. A motion was made.

MOTION: Made (Bunnell) and seconded (Russell) to go into executive session to discuss strategy with respect to collective bargaining; to conduct strategy sessions in preparation for contract negotiations with non-union personnel, and to consider the purchase, exchange, lease, or value of Real Property; and upon conclusion, return to general session. Each Selectman voted affirmatively in a roll call vote. (Boilard, yes; Bunnell, yes; and Russell, yes.) Approved 3-0.

PLEDGE OF ALLEGIANCE

Upon return from the executive session, Chairman Boilard called the general meeting to order. He then asked all in attendance to join the Selectmen in saying the Pledge of Allegiance.

Announcement in Accordance with MGL C. 30A, S. 20E

He then announced, in accordance with Mass. General Law Chapter 30(A), section 20 (e), that the meeting of the Board of Selectmen was being recorded by Wilbraham Public Access. He then asked if there was anyone present at the meeting who was also recording the meeting. Christopher Goodreau, Reporter from The Reminder Publications, spoke up and confirmed that he was also recording the meeting.

APPOINTMENTS WITH THE BOARD

Senator Eric Lesser

Senator Lesser met with the Selectmen to introduce himself as the new State Senator to Wilbraham. He announced that the state budget was passed by the Legislature and currently is pending the Governor's signature. Senator Lesser highlighted three items included in the state budget, which he felt may be of interest to Wilbraham. Two of those fiscal items would fund programs to target substance abuse and opiate/heroin overdose and employment training for manufacturing jobs. The third fiscal item would increase the funding towards regional school transportation.

According to Senator Lesser, the substance abuse program will provide monies to community emergency medical services to purchase bulk Narco, a drug commonly used to counteract opiate/heroin overdose. He also mentioned other initiatives funded in this area, which included pharmacy monitoring of people submitting and receiving pain prescriptions as well as a stewardship program to buyback old prescription medication that is no longer being used. He also noted that the monies toward manufacturing employment training will involve the Pioneer Valley Collaborative, who will coordinate directly with local employers to provide training to underemployed adults and, possibly, Wilbraham students.

Senator Lesser shared that he worked closely with Martin O'Shea, Superintendent of Hampden-Wilbraham Regional School District, to ensure that there was funding in the state budget to increase the regional school transportation rate up to 73%. This increase will help free up funds within the school system for other needed expenses. Senator Ann Gobi worked closely with Senator Lesser on this initiative. He also mentioned that the Attorney General is currently looking into taking action to have the regional school transportation funded at a 100%.

Senator Lesser informed that he met several times with the Secretary of Transportation to seek funding for the East Street Bridge repairs. As a result, next year's State Transportation Improvement Program (TIP) will include \$1,000,000 for East Street Bridge repairs. Currently, the project is waiting the Pioneer Valley Planning Commission's approval. Selectman Boilard inquired if the funding would only cover preparatory repairs to the bridge and not more permanent repair work. Senator Lesser confirmed this to be true.

Selectman Russell thanked Senator Lesser for meeting with the Board. He also expressed his frustration about unfunded state mandates, which don't take in account the ramifications on the taxpayers. Senator Lesser mentioned that he is a co-sponsor of a bill that calls for the state to review state mandates. He agreed that there was an inherent unfairness. The Selectmen further discussed this issue with the Senator. Before departing, Senator Lesser offered that if the Selectmen have any issues or questions, or are in need of assistance, to contact him. He and his Office staff would be happy to assist.

OPEN SESSION

Town Administrator's Report

Town Administrator Breault announced to the Selectmen that the Traffic Safety Team will be meeting next week on Wednesday at 9:00am. Chairman Boilard asked how many issues would be discussed. Town Administrator Breault stated that there will be four to five issues; however, two of the issues may have been resolved by that Wednesday.

Board of Selectmen Updates

Selectman Russell applauded the Wilbraham Hill Climb Committee for a fantastic event this past Saturday.

Selectman Bunnell mentioned that she recently attended a seminar about Municipal Light Plants. She indicated that she would share the information from the seminar with the Broadband Committee at their next meeting. She also inquired about an issue on Stony Hill Road.

Citizens Open Forum

Chairman Boilard opened the Citizens Open Forum segment of the Selectmen's meeting. No one in the audience offered to speak.

OLD BUSINESS

Request for Waiver of Late Fees & Interest on Sewer Bills

Chairman Boilard asked if there were any questions. He then asked for a motion if the Selectmen were comfortable taking action on this agenda item.

MOTION: Made (Bunnell) and seconded (Russell) to approve the waiving of late fees and interest on the following resident's sewer bills as a result of hardship:

- **Walter Palm, 19 Dudley Street**
- **Lorina Miller, 7 James Street**
- **Richard Gurski, 4 Walter Street**

Approved 3-0.

Materials referenced: Memo, dated July 13, 2015, from E. Miga, Jr., Town Engineer/Director of DPW, relative to requests from residents to waive the late fees and interest from their sewer bills; and accompanying residents' requests and invoices.

C41 S111F – Indemnification

Chairman Boilard announced that this item was tabled until further information is received.

Ongoing Appointments

- Finance Committee

Chairman Boilard asked if the Selectmen reached out to anybody on Finance Committee about potential vacancies. Selectman Russell recommended filling the current two vacancies with the first two candidates who interviewed for the Committee. He suggested that the third candidate be considered when another known vacancy on the Committee opens up in the near future. Selectmen all agreed.

MOTION: Made (Bunnell) and seconded (Russell) to appoint Anna Levine and Carolyn Brennan to the Finance Committee for terms of three years, ending on June 30, 2018. Approved 3-0.

Materials referenced: Letter, dated May 21, 2015, and resume from Carolyn Brennan; Resume from Anna Levine, and Citizen Reply Form from Todd Luzi.

Firefighter/EMT Hiring Process

This agenda item was taken up later in the meeting following the reconvened executive session.

Approval of Police Station OPM contract

Town Administrator Breault updated the Selectmen on the status of the Owner's Project Manager (OPM) contract for the Police Station Building Project. He informed of the discussions between the vendor and the Police Station Building Committee. He recommended that the Board of Selectmen table the agenda item until July 27, 2015.

Ed Rigney, Police Station Building Committee member, speaking on behalf of the Committee, asked the Selectmen to consider issuing a notice to proceed to the Committee. In other words, the Committee requested that, if the contract is settled prior to July 27, the Selectmen schedule a brief meeting to approve and sign the OPM contract. The Board was agreeable.

Assent to Loan Modifications Country Club of Wilbraham

Selectman Bunnell questioned Item #13 of the Agreement and wondered if legal should advise on this item. Administrative Assistant Gaumond pointed out that Attorney Maddaus provided the Selectmen with his legal opinion about the Agreement. She noted that the legal opinion did not speak directly to Selectman Bunnell's question. Administrative Assistant Gaumond offered that if Selectman Bunnell was not comfortable with the Agreement that the matter be tabled until a legal opinion could be obtained relative to her question. The Board decided that the current legal opinion was satisfactory; and a motion was made.

MOTION: Made (Bunnell) and seconded (Russell) to assent to the Fourth Modification to Loan Documents and Loan Administration Agreement, specific to Leasehold Mortgage and Collateral Assignment of Leases and Rents, relative to 859 Stony Hill Road, Wilbraham, (Wilbraham Country Club;) and to validate such authorization with signatures of the Board. Approved 3-0.

Materials referenced: Fourth Modification to Loan Documents and Loan Administration Agreement relative to the Wilbraham Country Club as provided by Country Bank, and Legal opinion, dated July 13, 2015, from Attorney Stephen Maddaus, Interim Legal Counsel.

Town Counsel RFP's

Regional Emergency Communications Center

Chairman Boilard asked for clarification about the matter before the Board. Administrative Assistant Gaumond responded and explained that if the Selectmen are interested in moving ahead with the proposed Regional Emergency Communications Center, discussed at the last Selectmen's meeting, the process begins by approving a Chapter 500 Agreement, and then the Board must appoint three people to a Regional 911 District Planning Committee. She advised that the first step is to approve the Agreement. Administrative Assistant Gaumond acknowledged that the Selectmen have not had the opportunity to converse about appointments to the Committee. She suggested that if the Board was not ready to move forward or appoint people to the Committee, the matter could be tabled for now. Chairman Boilard asked if there was a rush to take action on this item. Administrative Assistant Gaumond confirmed that there was no rush. The matter was tabled.

Materials referenced: Hampden County RECC Feasibility and Technology Study Report, dated April 14, 2015, submitted by The Carrell Group, Inc.

NEW BUSINESS

Approval of Agreement between the Town of Wilbraham and R Levesque Associates, Inc. relative to the Handicap Accessible Walkway and Dock Project at Spec Pond

Selectman Bunnell questioned the funding for this project. Administrative Assistant Gaumond mentioned that the project was funded through the Community Preservation Act as approved at the last Town Meeting.

MOTION: Made (Bunnell) and seconded (Russell) to approve the Agreement, date June 26, 2015, between the Town of Wilbraham and R. Levesque Associates, Inc. for design, permitting services, bid administration and construction observation for the proposed handicap accessible walkway and dock adjacent to the beach at Spectacle Pond, Wilbraham, Massachusetts; and authorize the Chairman to sign the Agreement on behalf of the Board of Selectmen. Approved 3-0.

Materials referenced: Agreement, dated June 26, 2015, between the Town of Wilbraham and R. Levesque Associates, Inc. relative to the design permitting services, bid administration and construction observation for handicap accessible walkway and dock adjacent to the beach at Spectacle Pond.

Approval of the Agreement between the Town of Wilbraham and Architecture Environmental Life, Inc. relative to the Architectural Services/Accessibility Improvements Project at the Wilbraham Children's Museum Building
Chairman Boilard noted that this item was similar to the last item acted upon. He asked if there were any questions. No questioned were offered. A motion was made.

MOTION: Made (Bunnell) and seconded (Russell) to approve the Agreement, dated June 29, 2015, between the Town of Wilbraham and Architecture Environmental Life, Inc. for architectural services and feasibility study associated with the Accessibility Improvements Project at the Wilbraham Children's Museum Building; and authorize the Chairman to sign the Agreement on behalf of the Board of Selectmen. Approved 3-0.

Materials referenced: Agreement, dated June 29, 2015, between the Town of Wilbraham and Architecture Environmental Life, Inc. for architectural services and feasibility study associated with the Accessibility Improvements Project at the Wilbraham Children's Museum Building.

250th Anniversary Benches

Selectman Russell announced that the benches purchased by the 250th Anniversary Committee, honoring the Town's Anniversary, were installed in front of United Church, Gazebo Park, Bruuer Pond and the Library recently. He also informed that Anthony Aube, Executive Director of Wilbraham Public Access, will be doing a documentary about the benches. Selectman Russell mentioned that the benches are great and will last a long time. He also noted that each bench has a medallion on the back.

Approval of Compensation for DPW Employees for Operating Certain Equipment

IUOE Local 98 Agreement, dated June 2, 2014, Relative to Sick Leave Donation

Chairman Boilard announced that this matter would be taken up later in the meeting following the executive session.

Adoption of Reimbursement Request Form Relative to Chapter 104 of the Acts of 2010

Chairman Boilard announced that this agenda item would be taken up later in the meeting following the reconvened executive session.

Requests for Transfer from the Reserve Fund

- Selectmen's Office (2)
 - Professional Services Account
 - Legal Account

Chairman Boilard asked if there were any questions or comments. None were offered. A motion was made.

MOTION: Made (Bunnell) and seconded (Russell) to recommend a transfer of \$3,919.00 from the Reserve Fund to the Account 01-122-5219 Account for extraordinary and unforeseen expenditures due to vacancies in the Police Department resulting from a retirement in Fiscal Year 2015. Approved 3-0.

MOTION: Made (Bunnell) and seconded (Russell) to recommend a transfer of \$1,997.00 from the Reserve Fund to the Account 01-111-5219 Account for extraordinary and unforeseen legal expenditures in Fiscal Year 2015. Approved 3-0.

Materials referenced: Two Requests for Transfer from the Reserve Fund, dated June 30, 2015, submitted by Selectmen's Office.

LICENSING AND OTHER APPROVALS

Request Use of Public Property - Town Hall Parking Lot

Chairman Boilard announced the next agenda item. He asked if there were any questions or comments. None were offered.

MOTION: Made (Bunnell) and seconded (Russell) to grant the use of the parking lot, located at 240 Springfield Street, Wilbraham, on July 19, 2015, between the hours of 12:00pm to 7:00pm for the sole purpose of additional parking for guest attending a private graduation celebration at 736 Stony Hill Road; and forward the event notice and use of property to public safety officials for a public safety purposes. Approved 3-0.

Materials referenced: Letter, received June 15, 2015, from Terry Davis of 736 Stony Hill Road, requesting use of the Town Hall parking lot.

MINUTES OF MEETINGS

March 7, 2015

April 13, 2015

May 18, 2015

June 1, 2015

June 15, 2015

June 15, 2015 executive session

June 29, 2015

June 29, 2015 executive session

Chairman Boilard informed that the minutes were tabled.

EXECUTIVE SESSION RESUMED

To Conduct Strategy Sessions in Preparation for Contract Negotiations with Non-Union Personnel; and To Discuss Strategy with Respect to Collective Bargaining

MOTION: Made (Bunnell) and seconded (Russell) to go into executive session to discuss strategy with respect to collective bargaining; and to conduct strategy sessions in preparation for contract negotiations with non-union personnel; and upon conclusion, return to general session for adjournment. Each Selectman voted affirmatively in a roll call vote. (Boilard, yes; Bunnell, yes; and Russell, yes.) Approved 3-0.

The Selectmen returned from executive session at 8:50pm.

Firefighter/EMT Hiring Process

Chairman Boilard announced that the Selectmen are gathering more information about their concerns relative to the hiring process. He further shared that the Board will be reviewing the information and concerns with the Chairman of the Board of Fire Commissioners. The Board anticipates drafting guidelines for future hiring processes. The matter was tabled.

Materials referenced: Memo, dated July 10, 2015, from H. Dane, Human Resource Coordinator, relative to the Firefighter/EMT qualifications; and Letter, dated June 30, 2015, from Attorney D. M. Moschos, Labor Counsel, regarding the organization of the Wilbraham Fire Department.

IUOE Local 98 Agreement, dated June 2, 2014, Relative to Sick Leave Donation

Chairman Boilard explained that employees often will donate their sick leave to another employee who is very ill. The Town's practice is to have the ill employee utilize his/her sick and vacation leave prior to accessing and using the donated sick leave time. A motion was made.

MOTION: Made (Bunnell) and seconded (Russell) to require that Dispatcher David Clark use his accrued vacation leave prior to accessing any donated sick leave per the Agreement with IUOE Local 98, approved on June 2, 2014, effective July 1, 2015. Approved 3-0.

Materials referenced: Memo, dated July 2, 2015, from H. Dane, Human Resource Coordinator, relative to Sick Leave Donation; Agreement between the Town of Wilbraham and International Union of Operating Engineers, Local 98, regarding donation of sick leave and/or compensatory time.

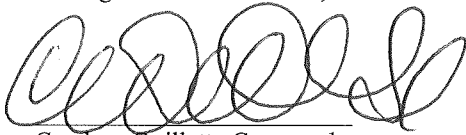
Adoption of Reimbursement Request Form Relative to Chapter 104 of the Acts of 2010

Chairman Boilard explained that there was a tragic incident that occurred in 2010, which entailed legislative action to help an individual. As a result, the Board is considering a specific form to be used to assist in the processing of reimbursements outlined in the legislation. He pointed out that it's a simple a form often seen used by the insurance industry. All the Selectmen were in agreement to approve the implementation of the form. For this reason, Chairman Boilard asked for a motion.

MOTION: Made (Bunnell) and seconded (Russell) to adopt a Reimbursement Request Form, pursuant to Chapter 104 of the Acts of 2010; and require all reimbursement requests under said Act to utilize the newly adopted Reimbursement Request Form. Approved 3-0.

Materials referenced: Memo, dated July 7, 2015, from H. Dane, Human Resource Coordinator, relative to co-payments reimbursements as directed in Chapter 104 of the Acts of 2010 and accompanying documents; and draft Reimbursement Request Form as submitted by H. Dane.

Having no further business, the Board of Selectmen adjourned at 8:56pm.



Candace Ouillette Gaumond
Administrative Assistant to the TA/BOS



Robert J. Boilard, Chairman



Susan C. Bunnell, Vice Chairman



Robert W. Russell, Clerk